

# **HAWKESWOOD ECOLOGY**

## **Specialists in Ecological Survey and Assessment**

17 Heol Henrhyd, Coelbren, Nr. Ystradgynlais, POWYS. SA10 9PG. Tel/Fax: 01639 701304  
Mobile: 07957 154794 E-mail: hawkeswoodecology@btinternet.com  
VAT Reg No 926 9271 93  
(Proprietors: Niki and Eric Hawkeswood)



## **PRELIMINARY ROOST ASSESSMENT, 74, PONTMARLAIS, MERTHYR TYDFIL.**

**On behalf of**

**MERTHYR TYDFIL COUNTY BOROUGH  
COUNCIL**

**December 2020**

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We confirm that in preparing this Report we have exercised reasonable skill and care, taking into account the project objectives, the agreed scope of the work and prevailing site conditions.

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

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

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## SUMMARY

Hawkeswood Ecology was instructed to carry out a daytime Preliminary Bat Roost Assessment (PRA) of 74, Pontmarlais, High Street, Merthyr Tydfil to determine the presence of, or potential for the building to support, roosting bats. The building was also assessed for breeding birds during the survey. It is proposed to refurbish the building as part of a wider upgrade of Merthyr Tydfil town centre.

The PRA was constrained by the current Covid 19 pandemic and no internal search was possible. However, the external search found no direct evidence of bats using the building with limited potential for them to do so.

The Building is a fully rendered stone built structure with a concrete tile roof. The front elevation has a 'half-timbered effect' and there are cracks in the mortar from the front second storey window. The roof has been altered at some point in the past when works were carried out to alter the front of the building leading to a complicated roof structure. The fascia and soffits are a mix of wood and UPVC with gaps under parts of the front elevation and under the rear gable end.

It was concluded that the building is currently of low value for roosting bats with no evidence of breeding birds found.

Due to the time of year the PRA was undertaken, no observation surveys could be undertaken. Given the financial pressures to carry out the works (Welsh Government grant money must be being spent before the end of the financial year) and the lack of direct evidence of bats being present, a pragmatic approach to the restoration is recommended. It is recommended the works take place under control of a strict method statement. Should bats, or evidence of bats be found during the works they will cease immediately and a European Protected Species derogation licence will be sought from Natural Resources Wales.

**The conclusions of this report are considered valid for two years from the survey date noted in Section 1 of the report.**

## **1 INTRODUCTION**

- 1.1 Hawkeswood Ecology was instructed by Merthyr Tydfil County Borough Council (MTCBC) to undertake a Preliminary Roost Assessment (PRA) of 74, Pontmarlais, High Street, Merthyr Tydfil. It is proposed to refurbish the building as part of a wider town centre restoration and upgrade. The proposed work will require the replacement of the existing roof and roof ancillary components and re-rendering of the structure. The works are funded by Welsh Government grant monies which must be spent before the next financial year.
- 1.2 The building is stone built with a concrete tile roof which is not original, probably having been replaced in the last 20 - 30 years. It is fully rendered and there are cracks in the render at the front of the property. Fascias are a mix of UPVC and wood with gaps under the UPVC fascias at the front and rear of the building. The roof, although 'tired' appears to be generally well sealed with only a few small gaps under the ridge tiles.
- 1.3 The objectives of the survey were to:
- To establish whether the building is currently used by bats or shows potential for them to occupy it;
  - To assess the potential impacts on bats of the proposed works;
  - To provide mitigation proposals in the case of bats being found.
- 1.4 The PRA was carried out on 19<sup>th</sup> November 2020. Any evidence of breeding birds using the building was also looked for during the survey.

## **2. METHODOLOGY**

### *Desktop Study*

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

### *Field Survey*

- 2.2 The study methodology followed accepted guidelines set out in the Bat Conservation Trust documents '*Bat Surveys for Professional Ecologists, Good Practice Guidelines*' 2016.
- 2.3 The principal aim of the daytime inspection was to survey the main structures of the building for the presence of, and potential to support roosting bats. An external examination was made of the design and structure of the building to assess the suitability for use by bats and for potential access points. Indications such as droppings, staining and potential access points were searched for. It was not possible to undertake an internal inspection.
- 2.4 The daytime inspection was carried out with close focusing binoculars, an endoscope, and a 1,000,000 candlepower spot lamp available. A MUPE was utilised to access the roof and cracks in the render for inspection.

*Constraints*

- 2.5 As the building is currently inhabited no internal access was possible due to concerns over Covid. This constraint is considered not to have limited the survey as the bats most likely to be present in the building (judged from previous surveys in the locality and the results of the data search) would point to pipistrelle species. In this case, the most likely roost are would be wall tops which are likely to be inaccessible in any event. This constraint is discussed more fully in the report discussion.

### **3. SURVEYOR EXPERIENCE**

- 3.1 The surveyor and report author is Eric Hawkeswood. Eric has been an active member of the Brecknock Bat Group since 1999 and been involved in a number of long running surveys within the county. He is a Natural Resource Wales (NRW) and Natural England licensed bat worker (nos. S085546-1, 2018 and 2017-28420-CLS-CLS respectively) and has extensive experience of roost inspections and emergence work. He has been a professional in the nature conservation field for thirty one years formerly working as Reserves Manager and Conservation Officer at Gwent Wildlife Trust and Woodland Manager for the Ruperra Conservation Trust. Eric has worked as an Ecological Consultant as joint proprietor of Hawkeswood Ecology since 2001.

### **4 DESKTOP STUDY FINDINGS**

- 4.1 SEWBrEC reported 107 bat records for the 2 kilometre search area. From within 500 metres of the Site the majority of records related to pipistrelle species, common pipistrelle or soprano pipistrelle bats. The closest records were from approximately 100 metres distant. Other species recorded were noctule, brown long-eared bat and lesser horseshoe species. The latter two species were unconfirmed and identified from droppings only, the horseshoe tentatively; no DNA analysis confirmation.
- 4.2 From greater than 500 metres other species noted include a number of Myotis bats including Daubenton's and Natterer's from the Taff corridor, Cyfarthfa Park and town outskirts, serotine and further brown long-eared and lesser horseshoe records.
- 4.3 Hawkeswood Ecology carried out a bat survey on a nearby property in 2019, approximately 90 metres south of number 74 and reported common and soprano pipistrelle. Bats were mostly associated with the Nant Morlais corridor to the north of the High Street.
- 4.4 A further survey reported in 2020 on a property opposite number 74 identified common and soprano pipistrelle mainly along the Morlais corridor with little activity to the building frontage.
- 4.5 Seventeen roof nesting birds records are reported from the 150 metre search area. Blue and great tit are reported from a building approximately 120 metres distant and a blue tit from a former hospital building some 200 metres to the south. All other records relate to

1 kilometre squares and species reported include lesser black backed gull, herring gull, house sparrow, swallow, swift and peregrine falcon.

*Designated sites*

- 4.6 There are no statutory sites designated for the presence of bats within a 10 kilometre radius.
- 4.7 SEWBReC data is confidential and cannot be released into the public domain without prior permission in writing from SEWBReC. Hawkeswood Ecology holds the data on the client's behalf for one year (in accordance with conditions) in case of further query. Any communications with SEWBReC should quote the reference 0201-552 and Site name.

## **5 FIELD SURVEY**

- 5.1 74 Pontmarlais fronts onto the High Street, Merthyr Tydfil and is an end of terrace building with an 'L' shaped configuration. It is a three storey building which is used for holiday and longer term letting. Photographs of the building are given in Appendix 1; potential access points are highlighted in Figure 1.
- 5.2 The building is of stone construction with a (possibly later) extension to the rear, the roof cover is not original but is tiled although with no obvious gaps or broken tiles. The building is fully rendered and some work has previously been undertaken to replace some fascia boards with new UPVC fascias at the rear and on a rear elevation.
- 5.3 The render is generally in poor condition but for the most part lacks cracks or crevices. An exception to this on the front elevation where deep cracks are present around a second floor window. Access to these was made using a MUPE and the cracks were investigated with a Rigid Micro CA-300 endoscope. The cracks appear to be more than superficial, running into the stonework. They were clean with no evidence of bat usage, i.e. no droppings, straining or polishing of surfaces could be seen.
- 5.4 Some gaps were noted under the fascia boards and the front corner of the building where alterations to the property were made in the past and at the rear of the building where new fascia UPVC boards are present. The gaps at the front of the building are limited and immediately adjacent to a lamp standard. At the rear (towards Tramroadside North), the boards potentially allow access to the wall tops. An inspection with the endoscope showed these to be clean with no direct evidence of bats using the building. The gables along the building side elevations were tightly sealed.
- 5.5 The roof is concrete pan tile covered with clay ridge tiles. There is a hipped gable at the southern elevation, where previous roof alterations have taken place, and a gable at the end of the western facing extension adjacent to Tramroadside North. The roof appears to be in a fair condition with only a few gaps noted in the ridge tiles, potential bat access to the roof via the roof cover was considered unlikely.

*Surrounding area*

- 5.6 The building sits on a main road through Merthyr Tydfil town centre with the side elevation adjacent to a small lane linking to Tramroadside North. The grounds of a demolished hospital are approximately 30 metres to the rear with a boundary of mature trees present against Tramroadside North. To the west beyond the properties on the opposite side of High Street lies the Morlais Brook which is carried through the built up area in a wooded corridor.

*Evidence and Potential for roosting Bats*

- 5.7 The PRA found no direct evidence (i.e. droppings, staining or animals) of bats using the building and only limited potential for them to do so. The presence of bats in the immediate locality is known from recent surveys but no roosting behaviour has been recorded with foraging along the Nant Morlais corridor most frequently reported. However, the building is considered to be of low potential to support roosting bats with some limited access.

*Birds*

- 5.8 There was no evidence of birds having used the building for breeding purposes.

## **6 RELEVANT LEGISLATION**

*Birds*

- 6.1 Part I of the Wildlife and Countryside Act 1981 (as amended) makes it an offence (with certain limited exceptions and in the absence of a licence) intentionally to kill, injure or take any wild bird, or intentionally to damage, take or destroy its nest whilst being built or in use, or to take or destroy its eggs. Consequently, even common birds such as blackbirds or robins, and their nests and eggs are protected in this way. Any works involving removal or other management of trees or shrubs must be undertaken outside the breeding bird season (March- August).
- 6.2 Further, section 1(5) of Part 1 of the W&C Act states any person intentionally disturbing any wild bird included in Schedule 1 whilst it is building a nest or is in or near a nest containing eggs or young or disturbs the young of such a bird is committing an offence and liable to a special penalty.
- 6.3 The Conservation of Habitats and Species Regulations 2017 has strengthened the protection of wild birds and their habitats. The amendment is “To help preserve, maintain and re-establish habitats for wild birds.”
- 6.4 Under the amended Regulations, Local Planning Authorities (as well as national statutory conservation bodies such as Natural Resources Wales) are required to protect and create bird habitat.

*Bats*

- 6.5 British bats are protected under the Wildlife and Countryside Act 1981 (as amended). Schedule 5 of this act made it illegal to intentionally kill, injure or take any British bat. It is also an offence to intentionally damage or destroy their place of rest (the roost).

- 6.6 In 2007 the offences of killing, injuring or taking bat species under Section 9(1), 9(2) and 9(4)a of European Protected species listed in Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) were removed to avoid duplication with their protection under Annex IV of the European Communities Council Directive on the Conservation of Natural Habitats and Wild Fauna and Flora (The Habitats Directive) as amended. The regulations remove the defence of inadvertent or accidental damage to roosts and make the offence ‘absolute’.
- 6.7 The Habitats Directive is transcribed into England and Wales Law by The Conservation of Habitats and Species Regulations 2017, this legislation consolidates amendments made to the earlier 2010 act. This legislation states in Part 3, Protection of Species, paragraph 43(1) that a person who:
- (a) deliberately captures, injures or kills any wild animal of a European protected species,
  - (b) deliberately disturbs wild animals of any such species,
  - (c) deliberately takes or destroys the eggs of such an animal, or
  - (d) damages or destroys a breeding site or resting place of such an animal,
- is committing an offence.
- 6.8 Further, with regard to disturbance of EPS, Paragraph 43(2) that disturbance is an act which is likely to:
- (a) to impair their ability—
    - (i) to survive, to breed or reproduce, or to rear or nurture their young, or
    - (ii) in the case of animals of a hibernating or migratory species, to hibernate or migrate;
  - or
  - (b) to affect significantly the local distribution or abundance of the species to which they belong.
- 6.9 In the case of a development involving the loss or modification of a building which may affect bats the above legislation must be considered and it may be necessary to apply to Natural Resources Wales for a European Protected Species Licence (EPSL).
- 6.10 The introduction of the Conservation of Habitats and Species Regulations 2017 has removed the defence of killing or injuring a protected species during a lawful operation, thus even in an instance where planning permission is granted, the presence of bats must be considered and mitigated for prior to commencement of works. Under the above regulations, a WAG licence can only be given if three tests are satisfied:
- The action proposed is in the interest of preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance to the environment;
  - That there is not a satisfactory alternative;
  - That the action proposed will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

- 6.11 Failure to satisfy the regulations and obtain an EPSL where required is likely to result in prosecution and can lead to severe fines of up to £5000 per bat and possible imprisonment.
- 6.12 Eight species of bat are listed under section 7 of the Environment Wales Act (2106). Section 7 of the Act provides a list of living organisms of principal importance for the purpose of maintaining and enhancing biodiversity in relation to Wales. This is a list of species considered at threat within Wales and in need of conservation management to maintain and enhance population numbers.
- 6.13 A duty is placed on the Local Authority by the Welsh Assembly Government to maintain and enhance populations of species listed in Section 7.

## **7 DISCUSSION AND IMPACT ASSESSMENT**

- 7.1 The daytime inspection of the building found no direct evidence of bats using the building for roosting purposes but limited potential for them to access the wall tops via cracks at the front of the building and gaps at the front corner of the building and at the rear gable under the fascia boards.
- 7.2 A detailed inspection of the cracks in the render and stonework and under the fascia boards did not show any evidence of use by bats and location of the building on the main street has resulted in a large part of the front and southern elevation being exposed to streetlights which may limit bat activity.
- 7.3 The proposals are to re render the building and replace the roof cover. As the building was considered to be of low potential to support roosting bats, normally a single observation would be recommended to assess bat activity and use of the building. In this case, this would mean waiting until next May at the earliest by which time the Welsh Government grant would be lost and the refurbishment would not proceed.
- 7.4 In this instance, a methodology for allowing the works to go ahead is proposed in Section 8, Recommendations, which would effectively allow the works to proceed under a detailed Method Statement on the proviso that should any evidence of bats be found at any stage the works will cease and a European Protected Species Licence (EPS) would be applied for.
- 7.5 The rationale for allowing the works to proceed on this basis is based on the following:
  - Previous surveys carried out within the last two years, including on a building opposite the Site, have indicated that bats are particularly active on the Nant Marlais corridor with very little activity involving the High Street or properties on the same side as 74 Pontmarlais;
  - Prior to the recent surveys in the locality, bat records were from Sites approximately 100 metres distant with no roosting records locally.

- No direct evidence of bats using the building was found, even though out of season, where cracks and wall tops could be accessed by endoscope, there was no evidence of droppings or staining etc.

*Assessment of Potential Impacts on Bats*

- 7.6 It is considered the building is of low potential to support roosting bats and there is no evidence of any roosting activity, particularly nothing to show use as a high status roost such as a maternity; use as a hibernaculum is considered to be of low potential. On an assumption that there is no roost present, it is considered that the proposals would have **no impact** upon the favourable conservation status of bats within the local or wider area; even should there be a day roost of a male or non-breeding female it is considered that, although a EPS licence would be necessary, the impact would be of **minor significance**.

*Birds*

- 7.7 There was no evidence of birds using the building and it is considered that the proposed works will be of **no significance** for breeding birds in a local or wider context.

## 8 RECOMMENDATIONS

- 8.1 As it was not possible to carry out an observation survey, even though the building is considered to be of low potential, it is recommended that the works are undertaken in accordance with the methodology given below.
- 8.2 Should a bat or evidence of bats be found at any time during the works, the works will cease immediately and a Derogation Licence will be applied for to comply fully with the Regulations.

*Toolbox talk*

- 8.3 Prior to the commencement of any works a toolbox talk will be undertaken with all members of staff working on the project. The toolbox talk will provide details of basic bat ecology, the species involved and the legislation applicable.

*Timing of works*

- 8.4 Works affecting the roof will be undertaken before the end of April, before bats return to summer roosts.

*Removal of potential roost areas in the roof*

- 8.5 All works will be undertaken by hand; tiles over the gable end wall tops and other areas considered essential by the ECW, ridge tiles, fascia and other roof components will be removed by hand in the presence of the ECW. The roof will be inspected, within limitations set by safe working and Coronavirus guidance, as the roof is removed to assess for any bat usage or signs.
- 8.6 Should any bats or signs of bats be found during the works at any time, they will cease immediately and the ECW will be called to Site (if not already present). The ECW will make an assessment of the bat(s') condition and the status of the roost and contact

Natural Resources Wales (NRW) for advice on how best to continue, including arranging an application for an EPS licence.

*Roof re-instatement works*

- 8.7 Timber treatments in particular can have a significant effect upon the opportunities for bats to use the new building as a roost. Any timbers used will be untreated. However, as this is likely to be impractical or undesirable, it is essential that only approved treatments will be used. Appendix 2 is a table provided by English Nature listing treatments and appropriate uses. Any treated timbers will comply with these recommendations.
- 8.8 If any materials used have been subject to tanalising treatments, they will have been treated in accordance with the relevant British Standard. Any surface deposits remaining after treatment will be removed, and this process will also reduce any amounts of arsenic present on the wood surface. The wood will also be properly dried prior to construction. Tanalised materials offer an advantage in the longer term as remedial timber treatments are less likely to be necessary in the future.
- 8.9 The use of breathable membranes is not permitted in any development that involves roosting bats. In this instance, in the interests of best practice, only Type 1F bitumen underfelt (BS747) will be used.

*Construction of new roosts and access points*

- 8.10 Access points allowing bats to access the wall tops post works will be re-instated at locations shown in Figure 2. These are at the rear gable of the building away from any extraneous artificial light source. The access point dimensions will be approximately 75mm x 17.5mm with the long face along the wall. Figure 3 shows a typical arrangement. **Only bitumen roofing felt will be used** in the project.
- 8.11 The exact locations of the access points and their installation will be monitored by the ECW. A final report will be compiled on works completion to be forwarded to the Local Planning Authority Ecologist.

## 9 CONCLUSIONS

- 9.1 There is no direct evidence to suggest that 74 Pontmarlais is used by bats for roosting purposes. There are potential access features that have led to the building being considered to be of Low potential to support roosting bats, it is well sealed and has had recent works to the roof and soffits.
- 9.2 Due to the timing of the survey, observations surveys could not be carried out and if the works do not commence before the end of the financial year funding will be lost. Because of this, a Method Statement has been written in Section 8, Recommendations, to allow the works to proceed. This does not override the current legislation and should a bat or evidence of bats be found works will cease whilst an EPS derogation licence is sought.

9.3 The works will proceed under supervision of an ECW.

## 10 BIBLIOGRAPHY

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

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

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

The Wildlife and Countryside Act 1981 (as amended).

The Environment Act (Wales) 2016

**FIGURE 1**  
**LOCATION OF 74 PONTMARLAIS AND POTENTIAL BAT ACCESS POINTS**

Preliminary Roost Assessment, 74 Pontmarlais, Merthyr Tydfil.  
Hawkeswood Ecology – November 2020



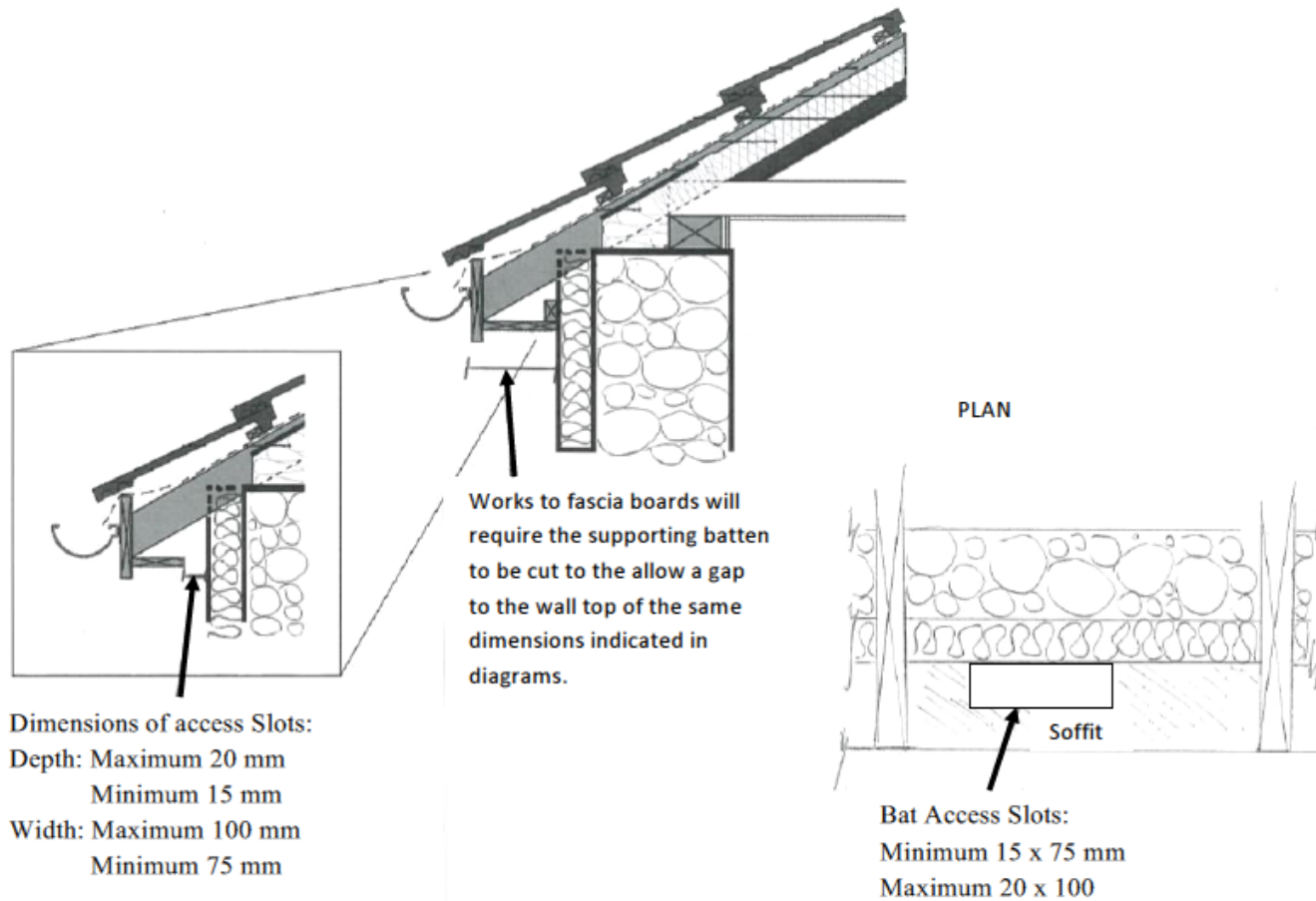
**FIGURE 2**  
**APPROXIMATE LOCATIONS OF MITIGATION ACCESS POINTS**

Preliminary Roost Assessment, 74 Pontmarlais, Merthyr Tydfil.  
Hawkeswood Ecology – November 2020



**FIGURE 3**  
**BAT ACCESS POINT DESIGN**

**Roof detailing to allow for bat access to wall tops and loft space**



**APPENDIX 1**  
**PHOTOGRAPHS**



Front elevation showing large cracks in render (photo Google Earth).



The large crack below the window on the second floor facing the main road



The large crack above the window



Looking into the main crack with the endoscope, no evidence of bats



Roof condition



Eastern facing gable, from MUPE



Eastern facing gable, gaps beneath UPVC fascia



North facing elevation, new soffit, tightly sealed

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Mobile: 07957 154794 E-mail: [hawkeswoodecology@btinternet.com](mailto:hawkeswoodecology@btinternet.com)  
(Proprietors: Niki and Eric Hawkeswood)

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